IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Criminal Misc. Application No. 946 of 2001
(Old No. 4459 of 1998)

1. Pramod Kumar Gang
   S/o Sri Ruliya Ram.
2. Ruliya Ram S/o Sri Neki Ram
3. Smt. Naraini Devi W/o Ruliya Ram
4. Sanjai Garg
5. Vipul Garg
   Both S/o Ruliya Ram
   All R/o House No. 178/7,
   Lakkhi Bagh, Dehradun.

…….. Applicants

Versus

1. State of Uttaranchal
2. Smt. Anuja Garg W/o Pramod Kumar Garg
3. Smt. Indira Garg W/o Sri Girish Chandra
4. Aditya Kumar S/o Sri Girish Chandra
   All R/o Moolganj, P.S. Nagina,
   District Bijnore (U.P.)
5. Mahendra Agarwal S/o Piyare Lal Agarwal
6. Raj Bala W/o Sri Mahendra Kumar Agarwal
   Both R/o Punjabi Colony, P.S. Nagina,
   District Bijnore (U.P.)
7. Ashok Kumar S/o Sri Ganesh Prasad Agarwal
8. Smt. Meenakshi W/o Sri Ashok Kumar
   Both R/o Plot No. 370, Kidwai Nagar, Kanpur.
9. Mukesh Kumar S/o Banarsi Das
   R/o Khadariya, Dhampur, Distt. Bijnore.

…… Respondents

Mr S.S Chauhan, Advocate for the applicants.
Mr. D.C.S. Rawat, Advocate for the respondents.

Hon. Prafulla C. Pant, J.

A compromise application has been filed before this Court today along with joint affidavit filed by Mr. Pramod Kumar Garg (petitioner) and Smt. Anuja Garg (respondent No.2), stating that they do not want to prosecute further

each other in the criminal cases they had got filed. The compromise application along with joint affidavit be taken on record.

2) There is a criminal case No. 436 of 1995; Pramod Kumar Garg Vs. Anuja Garg and others, relating to offence punishable under Section 420 of I.P.C., pending in the court of Chief Judicial Magistrate, Gopeshwar, which is instituted by present petitioner Pramod Kumar Garg against his wife Anuja Garg and others. A criminal case No. 918 of 1996, relating to offences punishable under Section 498-A, 323, 504, 506 of I.P.C. and under Section ¾ of Dowry Prohibition Act, 1961, is pending against the present petitioner in the court of Chief Judicial Magistrate, Dehradun, on the complaint lodged with the police by his wife Anuja Garg (present respondent No.2).

3) Both the parties are present in person before this Court along with their counsel. They are ready to withdraw the cases filed by them against each other.

4) Considering the joint affidavit of the parties and the application moved before this Court today, keeping in view the principle of law laid down in ***B.S. Joshi Vs. State of Haryana, reported in (2003) 4 Supreme Court Cases 675,*** the petition under Section 482 of the Code of Criminal Procedure, 1973, is disposed of in terms of joint affidavit filed by the parties before this Court. And, criminal proceedings in criminal case No. 436 of 1995; Pramod Kumar Garg Vs. Anuja Garg and others, under Section 420 of I.P.C., pending before the Chief Judicial Magistrate

Gopeshwar, and proceedings of criminal case No. 918 of 1996; State Vs. Pramod Kumar Garg and others, under Section 498-A, 323, 504, 506 of I.P.C. and under Section 3/4 of Dowry Prohibition Act, 1961, pending before the Chief Magistrate, Dehradun, are hereby quashed.

(Prafulla C. Pant, J.)

Dt. 22nd September, 2006.
H.Negi